Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional)

700-148RPC

in e Application of: Postrel Application No.: 10/608,736 Filed: June 27, 2003

For: METHOD AND SYSTEM FOR EXCHANGE AND AGGREGATION OF REWARD POINTS VIA A GLOBAL COMPUTER NETWORK

The owner\*, Richard Postrel \_\_\_\_\_, of \_\_100 \_percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number \_\_10/648.705 \_\_\_\_\_, filed on August 25, 2003 \_\_\_\_\_, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if	appropriate.		
	nalf of an organization (e.g., co s empowered to act on behalf	orporation, partnership, university, go of the organization.	vernment agency,
information and belief are believed false statements and the like so m	to be true; and further that the lade are punishable by fine o	own knowledge are true and that all nese statements were made with the r imprisonment, or both, under Sectionay jeopardize the validity of the app	knowledge that willful on 1001 of Title 18 of
2. The undersigned is an a	ttorney or agent of record.	Signature	June 12, 2004 Date
06/17/2004 MBERHE 00000024 10608736		Anthony R. Barkum	Δ.
03 FC:2814	55.00 OP	Typed or printed name	
}		631-878-0526	
		Telephone Number	
Terminal disclaimer fee unde	r 37 CFR 1.20(d) is included.		
WARNING: Information	n on this form may become	public. Credit card information sho	ould not

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

be included on this form. Provide credit card information and authorization on PTO-2038.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Form PTO/SB/96 may be used for making this statement. See MPEP § 324.